

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

UNITED STATES OF AMERICA

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CR. NO. 2:06-cr-213-MEF

CARLOS BADILLO

RESPONSE TO SHOW CAUSE ORDER

COMES NOW the United States of America, by and through Leura G. Canary, United States Attorney for the Middle District of Alabama, and files its response to the Court's Show Cause Order of September 28, 2007, as follows:

1. The government can show no reason why the Defendant's motion (Doc.123) should not be granted and sentencing set on October 18, 2007.

2. In expectation of the expedited hearing, the government states that it will file a motion to reduce the Defendant's applicable offense level by one (1) for his acceptance of responsibility. Additionally, the government will file a motion for downward departure of two (2) levels for Defendant's assistance in the disposition of the cases of his co-defendant's, Lawanna and Christine Albin. The Government will not be using Badillo at the sentencing of the co-defendants and does not anticipate a further motion for downward departure, post-sentencing, for the Defendant's continued cooperation.

Respectfully submitted, this the 3rd day of October, 2007.

LEURA G. CANARY
UNITED STATES ATTORNEY

/s/ Susan Redmond
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v.

CARLOS BADILLO

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CERTIFICATE OF SERVICE

I hereby certify that on October 3, 2007, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following: Timothy C. Halstrom, Esq.

Respectfully submitted,

LEURA G. CANARY
UNITED STATES ATTORNEY

/s/ Susan Redmond
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